

UNITED STATES OF AMERICA		:	Criminal No. 09-656 (SDW)
v.		:	
GORDON D. McDONALD,		:	<u>ORDER</u>
Defendant.		:	

Sevenson claims that it requires access to Exhibits D3, GX-44, GX-45, GX-52, GX-404, GX-495-497, GX-499, GX-501, GX-502a, GX-502c, GX-502d, GX-503a, GX-503b, GX-503c, GX-505a, GX-505b, GX-506, GX-512, GX-514a, GX-514c, GX-515a, GX-515b, GX-519a, GX-519b, GX-519c, GX-519d, GX-519e, GX-519f, GX-519g, GX-520b, GX-521, GX-523, GX-524a, GX-524b, GX-525a, GX-525b, GX-526a, GX-526b, GX-527, GX-529, GX-530, GX-531, and GX-725-726 (the “Exhibits”) to marshal legal and factual claims necessary for its request for restitution pursuant to the Crime Victim’s Rights Act, 18 U.S.C. § 3771 (“CVRA”), Mandatory Victim’s Rights Act, 18 U.S.C. § 3663A (“MVRA”), and 18 U.S.C. § 3664(j)(1).

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entitled access to the Exhibits or that they are relevant to its restitution claims. The Government does not object to providing Severson redacted exhibits.

To accommodate Severson's desire to participate in the sentencing of Gordon D. McDonald and further its claims, but without deciding Severson's status under the CVRA and MVRA, the Court hereby orders the production of the Exhibits to Severson, subject to redaction of certain protected information, including personally identifiable information.

Severson and Severson's counsel of record, upon receiving the Exhibits, may use the Exhibits as necessary for Severson's request for restitution in this case pursuant to the CVRA, MVRA, and 18 U.S.C. § 3664(j)(1), and for no other purpose. Severson and Severson's counsel of record may not disseminate or disclose the Exhibits or any information taken from the Exhibits to any third party unless such dissemination or disclosure is necessary to prepare Severson's restitution request in this case. Severson and Severson's counsel of record may not use the Exhibits in, or in preparation for, any other disputes, litigation, or legal proceedings. Severson and Severson's counsel of record may not in any instance disclose the Exhibits to members of the media or public. Severson and Severson's counsel of record may not use or disclose the Exhibits for any commercial or business purpose.

Any third party to whom dissemination or disclosure is made pursuant to this Order may not use the Exhibits for any purpose other than as necessary to prepare Severson's restitution request in this case and may not further disseminate or disclose the Exhibits. If Severson or Severson's counsel of record, in the course of preparing Severson's restitution request, disseminates or discloses any of the Exhibits or

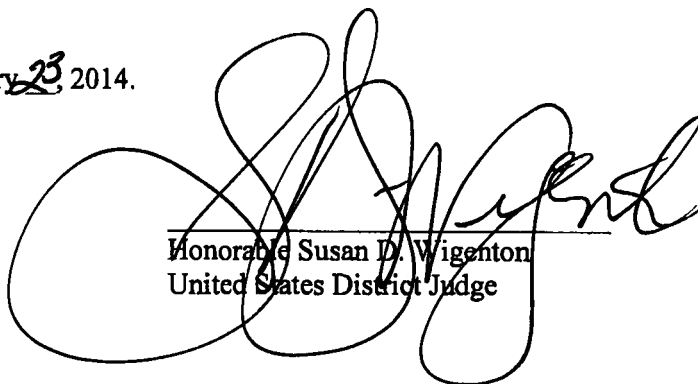
information taken from the Exhibits to a third party, Severson or Severson's counsel of record shall obtain from every such third party at the time of disclosure or dissemination a signed written statement committing to compliance with the terms of this Order. Severson's counsel of record shall promptly submit a copy of such signed written statement to the Court and the Government.

Severson and Severson's counsel of record shall store all of the Exhibits, and any copies made thereof, in a secure place and shall use reasonable care to ensure that the Exhibits are not disclosed or disseminated to any third parties in violation of this Order.

Upon resolution of Severson's request for restitution, Severson and Severson's counsel of record, and any third party who receives any Exhibits pursuant to this Order, shall return all such materials in their possession, as well as copies made thereof, to the Government at the following address: Department of Justice, Antitrust Division, Attn: Elizabeth Prewitt, 26 Federal Plaza, Suite 3630, New York, NY 10278.

SO ORDERED.

SIGNED on this day of January 23, 2014.



Honorable Susan D. Wigenton
United States District Judge